

REMARKS

The Final Action mailed September 3, 2004, has been carefully studied. The claims in the application remain as claims 21-26; these claims not only define novel and unobvious subject matter under §§102 and 103, but also meet all the other statutory requirements including those of §112, whereby applicants' claims should be allowed. Accordingly, applicants respectfully request favorable consideration, entry of the amendments presented above and early formal allowance.

Claims 21, 22, 24 and 25 have been rejected under the first paragraph of §112. This rejection is respectfully traversed.

Claim 21 as previously drafted is fully consistent with applicants' disclosure which repeatedly states that there is a resin layer positioned on the innermost side of the bearing. There is also resin impregnated into the porous sintered layer of Cu-alloy powder provided on the backing metal. See the attached figure which illustrates an enlarged cross section of a bearing according to the present invention. Nothing different is stated or implied. Nevertheless, claim 21 is proposed to be amended above to more clearly distinguish between resin composition which is

impregnated and resin composition which is on top of that part of the resin composition which is impregnated, which resin is desirably the same resin, i.e. the resin composition which is both impregnated and coated.

With respect to claims 22 and 25, the typographical error noted by the examiner in claim 22 has now been corrected.

Applicants respectfully request withdrawal of the rejection.

Claims 21-26 have been rejected under the second paragraph of §112. The rejection is respectfully traversed.

Applicants respectfully maintain their previously stated position. Both the original language and the substitute language appearing in claims 21-26 are absolutely clear and would not cause any confusion whatsoever. Nevertheless, as the examiner seems to have suggested use of the more standard "consisting essentially of" transition language at numbered page 4, fourth line of the second paragraph of the Office Action, applicants now propose above to amend their claims to utilize this standard transitional language.

Applicants believe and submit that there is little or no difference in the meaning of the various forms of

language utilized presently and previously. In each case, applicants submit that the resin layer in question is (1) made primarily of thermosetting resin or (2) composed mainly or entirely of the thermosetting resin, or (3) consists essentially of thermosetting resin, and these recitations mean that the resin layer substantially is formed of the thermosetting resin but is allowed to include a few additives, such as Pb powder as exemplified at page 8, line 21 of the present specification. Applicants believe that any of these expressions would be readily understood by the person skilled in the art in view of technical knowledge and common sense that it is difficult to obtain a 100% pure thermosetting resin.

Withdrawal of the rejection is in order and is respectfully requested.

Applicants believe and submit that the claims as previously drafted, considered in light of applicants' specification and the prior art (fully consistent with the law), would not have been confusing to those skilled in the art, and therefore the claims in their previous forms are fully in accordance with the first and second paragraphs of §112. At worst, applicants' claims in their previous form might be considered objectionable, but **only** as to form,

requiring no substantial amendments relating to patentability.

Consequently, the amendments presented above are considered by applicants to be cosmetic, i.e. of a formal nature only, made to place the claims in improved form for U.S. practice or the examiner's understanding of what is necessary or desirable under U.S. practice. Applicants submit that the amendments are not "narrowing" amendments because the scope of the claims has not been reduced. No limitations have been added and none are intended.

No prior art has been applied against claims 21-26, and therefore these claims are understood to be free of the prior art, i.e. to define novel and unobvious subject matter under §§102 and 103.

Of these, paragraph 8 of the Official Action indicates that claims 23 and 26 are directed to allowable subject matter.

Applicants believe that all issues have been addressed above and have been resolved. Accordingly, applicants respectfully request favorable consideration, withdrawal of the rejections, entry of the amendments presented above and early formal allowance. However, if any problems remain which can be resolved over the telephone, the

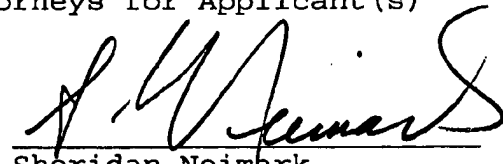
Appln. No. 10/691,521
Amd. dated November 29, 2004
Reply to Office Action of September 3, 2004

favor of a phone call to undersigned would be requested and appreciated.

Respectfully submitted,

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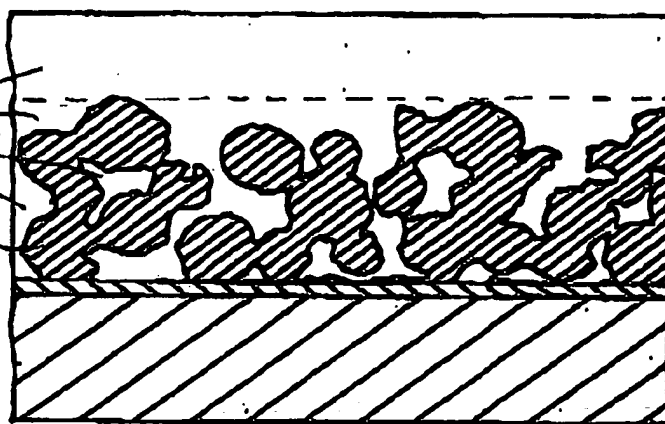
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bearing
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thermosetting resin
or
polytetrafluoroethylene

Cu-alloy



resin layer

porous sintered
layer

backing metal

実際に特許公報に掲載されている図の方が良いのでしょうか？
また、その特許公報は他者のものの方が良いのでしょうか？